

Serial No.: 10/748,102
Examiner: Jay P. Patel

Remarks/Arguments

Claims 1-28 remain in this application with claims, with claims 1, 16 and 19 being independent claims. No claims have been canceled. Claims 1, 16 and 19 have been amended.

Regarding the 35 USC 103 rejection:

In the office action independent claim 1 was rejected under 35 USC 103(a) as being unpatentable over Shabtay et al. (US Patent 7093027) in view of Devine et al. (US Patent 70335289) and further in view of Boivie et al. (US Patent 6842783). Applicants respectfully assert that independent claim 1, as now presented, is patentable over the cited references. Additionally, Applicants assert that none of the cited references, whether taken alone or in any reasonable combination teach, disclose or render obvious the invention as presently claimed in independent claim 1. In particular independent claim 1 claims in part "creating a network of nodes in an enterprise Metropolitan Area Network and coupled to a central management module, wherein the central management module and the network of nodes are located in a single chassis". In the current office action, the examiner rejected this limitation in the previous amendment as it was placed in the preamble. Applicants have positively included this limitation in the body of the claims. Applicants further assert that nowhere in the cited references is this limitation disclosed. In fact, Shabtay is specifically limited to a Local Area Network which is part of the problem addressed in the background of the present invention.

Additionally, in the rejection of independent claim 1, the examiner sets forth that Devine teaches a central management module and the network of nodes located in a single chassis. In support of this, the Examiner points to Figure 3 of Devine and states that certain elements are located on a "single switch 210". In essence the examiner is equating a switch illustrated as a block diagram to that of a physical single chassis as presently claimed. In fact, nowhere in Devine is there even mentioned any type of chassis used, let alone a single chassis.

As each and every element of independent claim 1 is not disclosed in the cited references (alone or combined), Applicants respectfully asserts that independent claim 1, as now presented is patentable over the cited references.

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Regarding claims 2-15, as these claims depend either directly or indirectly from independent claim 1, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 1, Applicants respectfully asserts that these claims are also patentable over the cited references.

In the office action independent claims 16 and 19 were rejected under 35 USC 103(a) as being unpatentable over Shabtay et al. (US Patent 7093027) in view of Boivie et al. (US Patent 6842783). Applicants respectfully assert that independent claims 16 and 19, as now presented, are patentable over the cited references. Additionally, Applicants assert that none of the cited references, whether taken alone or in any reasonable combination teach, disclose or render obvious the invention as presently claimed in independent claims 16 and 19. In particular claim 16 claims in part "at least one network processor subsystem integrated in an enterprise Metropolitan Area Network" and claim 19 claims in part "a network of nodes in an enterprise Metropolitan Area Network". In the current office action, the examiner rejected similar limitations in the previous amendment as they were placed in the preamble of claims 16 and 19. Applicants have positively included the limitations set forth above in the body of the claims. Applicants respectfully assert that no-where in the cited references are these two limitations disclosed. In fact, Shabtay is specifically limited to a Local Area Network which is part of the problem addressed in the background of the present invention. As each and every element of independent claims 16 and 19 are not disclosed in the cited references (alone or combined), Applicants respectfully asserts that independent claims 16 and 19, as now presented is patentable over the cited references.

Regarding claims 17 and 18, as these claims depend either directly or indirectly from independent claim 16 and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 16, Applicants respectfully asserts that these claims are also patentable over the cited references.

Regarding claims 20-28, as these claims depend either directly or indirectly from independent claim 19, and therefore incorporate all the limitations therein, for the reasons set

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forth above with respect to claim 19, Applicants respectfully asserts that these claims are also patentable over the cited references.

It is believed that the foregoing places the Application in condition for allowance; therefore, Applicants respectfully request withdrawal of the Examiner's rejection of the claims as set forth in the Office Action, and full allowance of same. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned to expeditiously resolve any outstanding issues.

Respectfully submitted,

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